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TO	Examiner Carla J. Myers Group Art Unit: 1634 United States Patent and Trademark Office	(703) 872-9307	(703) 308-0196

FROM	David Maher david.maher@bingham.com	(650) 849-4800	(650) 849-4908
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PAGES (INCLUDING THIS COVER PAGE): 14

RE U.S. Serial No. 09/824,629, Filed: April 2, 2001
 Title: MANGANESE SUPEROXIDE DISMUTASE GENE
 POLYMORPHISM FOR PREDICTING CANCER SUSCEPTIBILITY
 Applicant: Lenz, et al.
 Assignee: University of Southern California
 USC Ref. No.: 3015
 Attorney Docket No.: 13761-7001

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Message:

**AMENDMENT/RESPONSE TO
 OFFICE ACTION DATED NOVEMBER 20, 2002
 (EXPEDITED PROCEDURE UNDER RULE 116)**

Boston
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Certificate of Transmission (37 C.F.R. § 1.8(a)):

Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent by facsimile on the date indicated below to the attention of
 Examiner Carla J. Myers at Facsimile No. (703) 872-9307 at 4:15 a.m. (p.m.)

Dated: March 20, 2003

Name of Person Certifying: 

Printed Name: Oscar Guillen

*For transmission problems, please call (650) 849-4825***Caution - Confidential**

The information in this fax is confidential and may also be privileged attorney-client information and attorney work product. It is intended only for the recipient(s) named above. If you aren't a named recipient or his/her authorized representative, any reading, use, copying or disclosure of this fax is strictly prohibited. If you aren't a named recipient, please call the above number (collect) now and return this fax to us by mail at the above address. Thank you.

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Docket No. 13761-7001

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Dated: <u>March 20, 2003</u>	Name of Person Certifying: <u>[Signature]</u> Printed Name: <u>Oscar Guillen</u>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Lenz et al.	Assignee:	University of Southern California
Filing Date:	April 2, 2001	Examiner:	Carla J. Myers
Serial No.:	09/824,629	Group Art Unit:	1634
Title:	MANGANESE SUPEROXIDE DISMUTASE GENE POLYMORPHISM FOR PREDICTING CANCER SUSCEPTIBILITY		

Box AF
Commissioner for Patents
Washington, D.C. 20231

RESPONSE & FEE TRANSMITTAL

Sir:

In response to the Office Communication mailed on November 20, 2002, enclosed herewith for filing are the following:

1. Return Receipt Postcard;
2. Amendment and Response under 37 C.F.R. § 1.116 to Final Office Action of November 20, 2002 (10 pgs.); and
3. Petition and Fee for Extension of Time – 1 month (1 pg.).


☒ Applicant(s) claim Small Entity Status under 37 C.F.R. § 1.27.

Fee Calculation						
<input checked="" type="checkbox"/> The following fees are submitted:						CALCULATIONS
EXTRA CLAIMS FEE				OTHER THAN SMALL ENTITY	SMALL ENTITY	\$ -0-
CLAIMS	CURRENT #	# OF CLAIMS PREVIOUSLY PAID	# EXTRA	RATE	RATE	
Total Claims	27-20	30	0	× \$18.00	× \$9.00	\$ 0.00
Independent claims	1-3	3	0	× \$84.00	× \$42.00	\$ 0.00
MULTIPLE DEPENDENT CLAIM(S)						
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				\$280.00	\$140.00	\$ -0-
Petition for Extension of Time Fee (1 mo.)						\$ -55.00-
TOTAL FEES =						\$ 55.00

- ☒ Conditional Petition for Extension of Time: An extension of time is requested to provide for timely filing if an extension of time is still required after all papers filed with this communication have been considered.
- ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- ☐ Please charge Deposit Account No. 50-2518, Docket No. 13761-7001, in the amount of \$ _____ to cover the above-fees.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2518, Docket No. 13761-7001.

DATE: March 20, 2003

Respectfully submitted,

By: 
David W. Maher
Registration No.: 40,077

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Attorney Docket No. 13761-7001

Certificate of Transmission (37 C.F.R. § 1.8(a)):	
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Dated: <u>March 20, 2003</u>	Name of Person Certifying: <u>[Signature]</u> Printed Name: <u>Oscar Guillen</u>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lenz, et al.

Assignee: University of Southern California

Filing Date: April 2, 2001

Examiner: Carla J. Myers

Serial No.: 09/824,629

Group Art Unit: 1634

Title: MANGANESE SUPEROXIDE DISMUTASE
GENE POLYMORPHISM FOR PREDICTING
CANCER SUSCEPTIBILITY**AMENDMENT/RESPONSE TO
OFFICE ACTION DATED
NOVEMBER 20, 2002
(EXPEDITED PROCEDURE
UNDER RULE 116)**Box AF
Commissioner for Patents
Washington, D.C. 20231**AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.116**

This is in response to the Office Action dated November 20, 2002 ("Office Action"). A one month extension of time is requested. Applicants respectfully request reconsideration of the above-identified application in view of the following amendments and remarks.

AMENDMENT**In The Claims**

Please amend the claims as indicated below. A clean copy of the pending claims under consideration is provided below. A marked up version of the amended claims is provided in Appendix I. Support for the claim amendments may be found throughout the application as filed, and in at least the following places: page 2, lines 16-20, page 4 lines 18-26, page 35 line 28-page 36 line 7, and Figure 2. The claim amendments therefore add no new matter.